

## SILVER AND LEAD.

Silver, 51c. per ounce.  
Copper, 11c. per pound; New York  
99.12 1/2.  
Lead, 23.50 per 100 pounds; New York  
94.12 1/2.

ESTABLISHED JUNE 6, 1870

SALT LAKE CITY, UTAH: FRIDAY, MAY 30, 1902

PRICE FIVE CENTS.

## WEATHER TODAY.

Forecast for Salt Lake.  
Conditions favorable for local  
thunderstorms.

EICHNOR DEALS TERRIBLE  
BLOW TO PETER MORTENSEN

In Outlining the Prosecution the District Attorney  
Dwells on Prisoner's Finances.

How He Expects to Prove That Accused Murderer Did Not Have  
the Money He Claimed to Have Paid Hay.

A STRUGGLE that will be keen and  
enduring, a struggle for human  
life and liberty, began yesterday  
in the criminal division of the Third  
district court. Peter Mortensen, the  
accused man, emerged from the first  
day's conflict apparently sick and dis-  
heartened.

This was the effect of the opening  
statement of District Attorney Eichen-  
nor, which included a statement of the  
defendant's financial condition last De-  
cember, the figures of which, if sub-  
stantiated, will prove to an absolute  
certainty that Peter Mortensen did not  
have the \$3,800 which he claimed to have  
paid James H. Hay on the night of the  
Forest Dale tragedy.

While this was the only really new  
feature of the case that developed in  
the trial yesterday, it was profound.  
When the state's attorney commenced  
to read to the jury columns of figures  
by which he expects to forge a tremen-  
dous link in the chain of evidence  
against the accused, the effect was tel-  
ling upon the defense. Peter Mortensen,  
who has hitherto maintained a stolid  
indifference to what was said of him  
and his guilt, dropped his head, and  
for hours did not look up from a sheet  
of paper upon which he was scribbling  
items intended to counteract the tes-  
timony promised by the state.

## Changes in the Prisoner.

When he did raise his head, it was  
not the same Mortensen who sat in  
front of Judge Morse and stared at the  
spectators out of countenance for  
many days. His cheeks were pallid,  
his eyes dead, his marble features  
sallow and severe. On his left sat  
the brother, Henry, whose aid has been  
invaluable to the accused.

He stared vacantly towards a corner  
of the room and for minutes did not  
move a muscle. The father, appar-  
ently the least affected of all, sat quietly  
making entries in a memorandum  
book. Whether the situation impressed  
him as forcibly as others, or he was  
loying himself to prevent a display  
of his emotions, was a question.

Mr. Eichenor continued, dispassionately,  
with his presentation of the facts  
in the case from the standpoint of the  
prosecution. It was a strong, forceful  
statement of the case.

## Two Witnesses Testify.

During the day, Deputy County Sur-  
veyor J. J. McAlister and County  
Physician H. N. Mayo were on the  
stand. The first named substantiated  
the maps made to the scene of the  
tragedy and the doctor proved the  
death of the murdered man. When  
court adjourned it was until Monday  
at 10 o'clock.

The court room presented an unusual  
appearance yesterday morning. Large  
cushions and uplights for the accommo-  
dation of various moods to be intro-  
duced at the trial stood near the jury  
box, as well as the couch that formerly  
stood in Peter Mortensen's house and  
upon which he claims the money was  
counted out to Hay.

Promptly at 10 o'clock Judge Morse  
ordered the reading of the information,  
after which both sides announced them-  
selves in readiness to proceed. At-  
torney B. Stewart requested an order  
excluding all witnesses from the room,  
and it was granted. James Sharp and  
others left the room under this order,  
and the state's attorney was then  
called upon to make his opening state-  
ment.

## Mr. Eichenor's Opening.

"Gentlemen of the jury," said Mr.  
Eichenor, "the state has no desire to  
present anything beyond the absolute  
truth in this case. If I discover any  
witness, either for the prosecution or  
the defense, who perjures himself, I  
give you my word he will be arrested  
before he reaches the jury box. The  
state, gentlemen, will not throw a false  
hair into the scale that shall weigh  
the life of Peter Mortensen. But we  
will demand, above all, the truth of the  
witnesses."

Mr. Eichenor in a few words defined  
the law of murder. In this case, he  
said, the jury will not be confronted  
with the degree of murder, for Peter  
Mortensen is either guilty of murder,  
or he is not. He next told of the  
friendly, neighborly relations that ex-  
isted between James H. Hay and Peter  
Mortensen, the one being secretary of  
the Pacific Lumber company and the  
other a contractor and builder; how  
Mortensen had, in the course of his  
business, purchased lumber from the  
company named and how he had be-  
come indebted to the company during  
1901.

He recited the efforts of Manager Er-  
nest Romney to secure a settlement of  
the account against Mortensen, which  
amounted to \$3,800. Less than two  
weeks prior to the murder, on Dec. 5,  
Romney asked Mortensen to do some-  
thing, and the latter replied that he  
would try to make arrangements.

## Mortensen and the Money.

"Then it was," continued the dis-  
trict attorney, "that Mr. Romney asked  
Peter Mortensen, 'How are you going  
to pay us? Where will you get the  
money?' Peter Mortensen replied by  
enumerating a number of people who  
were owing him and from whom he

TRUSTS AND THE TARIFF WILL BE  
THE DEMOCRATIC CAMPAIGN ISSUES

WASHINGTON, May 29.—The executive committee of the Democratic congressional committee was in session here today. Ben T. Cable of Illinois, chairman, said it was in accord with the senators and representatives on the committee. The other outside members, Josiah Quincy of Massachusetts, Edward M. Shepard of New York, E. C. Wall of Wisconsin and David Overmyer of Kansas, were represented by proxies. Preliminary plans and business details of the coming congressional campaign were discussed.

Although the meetings were private, it was learned that the executive committee had considered plans for making the trusts and tariff leading issues of the coming campaign for the election of members of congress. A committee of seven members was appointed to go over this subject and, the results of the deliberations will be brought before the Democratic members of the house.

The membership of the committee of seven was not made public, but it is said to include men of prominence in the party outside of the executive or congressional committees.

The executive committee also formally confirmed the election of Mr. Cable as chairman. The general headquarters will be in Washington, with Representative Griggs chairman of the congressional committee in New York, while Mr. Cable will direct the western headquarters at Chicago.

This evening the full congressional committee held its weekly meeting and adopted the following resolution, offered by Representative Newlands of Nevada, and supported by Senator Turner and Representative Glenn.

"Resolved, By the Democratic congressional committee, that we regard the pending bill for the irrigation of arid lands of the west, which de- votes the proceeds of sales of public lands in the arid and semi-arid states and territories to the construction of storage and irrigation works and makes each project self-compensatory by fixing the cost of the lands reclaimed to be paid by the settlers in ten annual installments, and also reserves the lands so reclaimed for actual settlers and home builders, as complying with the pledge contained in the national Democratic platform, and we therefore recommend the passage of said bill as a next step in the line of domestic development."

## JUDGE AND JURORS IN THE MORTENSEN MURDER CASE.



The positions of the jurors are the same as they occupy in the jury box. Those on the upper line, reading from left to right, are: Henry Tribe, Sterling R. Leroy, James M. Barlow, Harrison T. Shurtliff, Samuel Bringham, Joseph Smith. On the lower line, reading from left to right, are: John B. Dailey, Alma R. Rock, Charles H. Ingham, Jr., John T. Alexander, William A. Bills, Michael Kepp.—(Fries Bros. Photo.)

## MURDERED BY ASYLUM INMATE.

(Special to The Herald.)  
BLANKFOOT, IDA., May 29.—Robert Burnett, regarded as a mild  
patient of the state insane asylum, today killed Timothy Driscoll,  
another patient, Driscoll was lying on the floor, which Burnett was  
polishing with a heavy instrument. Burnett called upon him to move  
out of the way. Driscoll did not move quickly enough to suit him and  
Burnett dealt him a crushing blow over the temple with the flat of a  
fisher, killing him instantly. The act was done so quickly and unexpect-  
edly that the wardens could not interfere until the murder had been  
committed.

GOVERNOR ODELL VISITS  
EVANSTON, WYO.

(Special to The Herald.)  
Evanston, Wyo., May 29.—The  
special train carrying Governor Odell  
of New York and party, accompanied by  
Union Pacific officials, arrived in this  
city at noon today. They were met by  
a delegation of citizens who cordially  
welcomed them. The party only  
stopped about an hour, returning via  
Cheyenne, where they will make a  
short stop. The nature of the visit  
could not be ascertained, but it is un-  
derstood it is simply a pleasure trip.

## DEPARTMENT TO INVESTIGATE

Government Representative to Ex-  
amine Proposed Forest Reserves.  
(Special to The Herald.)  
Washington, May 29.—Senator Raw-  
lins today filed with the secretary of  
the interior a petition from the citizens  
of Willard, Box Elder county, to have  
four sections of land set aside as a  
forest reserve, and a similar petition  
was filed with the department by rep-  
resentative Sutherland.

The department of the interior is to  
make a general investigation during  
the summer of the various tracts in  
Utah which the citizens have petitioned  
to have created into forest reserves.  
A special representative of the depart-  
ment will visit the state, and in com-  
pany with Representative Sutherland,  
will examine the proposed reserves.  
Action of the department will be with-  
held to await the result of this exami-  
nation.

## TO ABOLISH SMALL BEER KEGS.

Washington, May 29.—The bill of  
Representative Overstreet of Indiana,  
abolishing the one-eighth keg of beer,  
was favorably acted upon by the ways  
and means committee. The measure is  
desired by the beer trade in order to  
do away with the small kegs.

## ACQUITTED OF KILLING MOTHER

New York, May 29.—It was an-  
nounced at the district attorney's office  
today that the grand jury that has  
been investigating the murder of Mrs.  
Voelpel at Christopher and Hudson  
streets in February, had dismissed the  
case against John Voelpel, the woman's  
17-year-old son. The boy will probably  
be released.

## DEMOCRATS POSTPONE MEETING

(Special to The Herald.)  
Boise, Ida., May 29.—The meeting of  
the Democratic state committee has  
been postponed until next Monday.

DEBATE ON  
PHILIPPINE BILL

Lively Discussion in Senate Rel-  
ative to Future of Islands.

## OPPOSED BY DEMOCRATS

SPOONER SAYS OPPOSITION IS  
COMPOSED OF PESSIMISTS.

WASHINGTON, May 29.—Interest in  
the Philippine debate is increas-  
ing as the discussion draws to a  
close. Today the senate galleries were  
thronged with auditors and the at-  
tendance on the floor was larger than  
it has been for some time, including  
many members of the house of rep-  
resentatives.

Mr. Lodge (Mass.), in charge of the  
bill, offered, on behalf of the commit-  
tee, several amendments to the meas-  
ure, the most important one being ex-  
tending to the Philippines the provision  
of the bill of rights of the constitu-  
tion of the United States, excepting  
only the right to bear arms and the  
right to trial by jury. All the amend-  
ments were agreed to.

Mr. Morgan (Ala.) made an extended  
speech, in which he supported in the  
main the bill as presented by the com-  
mittee. He said it looked toward peace  
and toward a just and peaceful gov-  
ernment in the islands. Some changes  
were necessary, in his opinion, but  
these, he thought, would be made. He  
declared there had never been a pre-  
sence of organized Filipino govern-  
ment in the islands, and had Dewey re-  
cognized Aguinaldo's claims he would  
have given aid and comfort to the de-  
clared enemies of the United States.

Mr. Clay (Ga.) opposed the pending  
measure in a carefully prepared speech.  
He regarded the action of the United  
States since the ratification of the  
treaty of Paris as a great mistake, and  
urged that this government should  
declare its purpose in the Philippines.  
Such action, in his opinion, would put  
an end to the trouble in the islands.

Late in the afternoon Mr. Spooner  
(Wis.) began a speech in support of the  
bill and the administration's policy in  
the Philippines, which is to conclude  
general debate on the measure by the  
Republican side. He reviewed the sit-  
uation in the islands, in charge of the  
responsibility for it rested not on any  
one party, but on all alike. It appeared  
strange to him that a measure intended  
to exalt civil government and to sup-  
plant the military power should  
create such adverse criticism, and he  
declared that on the Democratic side  
there had been nothing heard but pes-  
simism, the gospel of despair.

## Lodge Offers Amendments.

After considering a few minor mat-  
ters, consideration was resumed of the  
Philippine government bill. Mr. Lodge  
of Massachusetts, in charge of the  
measure, offered two or three amend-  
ments of a minor character, which  
were agreed to. He then offered an  
amendment extending to the Philip-  
pines the "bill of rights" of the consti-  
tution of the United States, except the  
right to bear arms and the right of a  
trial by jury. In answer to an inquiry  
by Mr. Pettus of Alabama, he said  
that, in the opinion of the committee on  
the Philippines, it would be unwise, under  
the present circumstances, to extend  
those rights to the Philippines. This  
amendment was agreed to.

## Alabama Senator Approves Measure.

Mr. Morgan of Alabama then ad-  
dressed the senate upon the bill. He  
cordially approved the measure, which,  
he said, was a decided improvement on  
the law now in the islands. Certain  
changes, which he said he had intro-  
duced, ought to be made in the bill, but in  
a general way it looked toward peace.  
He read an editorial from an Alabama  
newspaper, which he adopted as his  
own sentiments. The editorial held  
that the United States had put its hand  
to the plow in the Philippines and it  
could not turn back. The insurrection  
in the islands, Mr. Morgan said, was  
broken, and the duty was left to the  
government to provide a just and  
equitable government for the people.  
Division in the councils in this coun-  
try, he believed, kept the bolomen and  
ladrones in the field. When that was  
settled, peace would be assured. If  
Aguinaldo had in fact driven Spanish  
dominion from the islands or had de-  
stroyed the power of the United States  
to hold Manila under the peace pro-  
cess, he said, he had worked a miracle  
on the development of national power  
that no other man ever attempted.

## VOLUNTEER SOLDIERS FREED.

Washington, May 29.—Under the de-  
cision of the supreme court in the case  
of Ex parte Millard, Secretary  
Root has directed that twenty-seven  
ex-members of volunteer organizations  
now serving sentence shall be released  
from confinement. Ten of the freed  
men are now at the Fort Leavenworth  
penitentiary, and the other seventeen  
are at Alcatraz island, California.  
They are all enlisted men.

## GENERAL BROOKE RETIRED.

Washington, May 29.—The senate  
committee on military affairs today  
authorized a favorable report on the  
bill providing for the retirement of  
General Brooke with the rank of lieut-  
enant general.

## No Government in Philippines.

There never has been, said Mr. Mor-  
gan, a pretense of organized govern-  
ment in the Philippines. It was unjust  
to critics Dewey for refusing to rec-

## PROGRAMME OF EVENTS FOR TODAY

- 9:30 a. m.—Military and Civic Parade.
- 10:00 a. m.—Road Race to Farmington.
- 10:30 a. m.—Baseball, Salt Lake vs. Lagoon.
- 1:00 p. m.—Horse Races at Calder's Park.
- 2:00 p. m.—Gun Club Shoot.
- 2:30 p. m.—Baseball, Salt Lake vs. Lagoon.
- 3:00 p. m.—Bicycle Races, Sauer Track.
- 3:00 p. m.—Mansfield at Salt Lake Theatre.
- 8:00 p. m.—Stock Company at Salt Palace.
- Saltair and Lagoon Resorts, afternoon and evening.

## ABANDONS FIGHT FOR MILLIONS.

SAN FRANCISCO, May 29.—Mrs. Nettie R. Craven has abandoned  
her fight for recognition as the widow of the late Senator James G.  
Fair. She has been paid \$50,000 for withdrawing her various law  
suits against the estate of the deceased millionaire, and with today the  
millions that have been so long in litigation, vest absolutely in Charles  
L. Fair and his sisters, Mrs. Theresa Oelrichs and Mrs. Virginia Vander-  
bilt.

When Mrs. Craven first appeared as a claimant for a share of Fair's  
millions, she was offered \$200,000 to abandon her contest. She demanded  
\$500,000 and upon being refused, instituted the proceedings that were  
dismissed today. Mrs. Craven claimed to be Fair's widow. She said  
he married her by contract on a bench in her rooms in the Colonial  
hotel, a few years before his death. She produced several witnesses to  
show that Fair often introduced her as his wife, but her case was not up-  
held in court. She appealed from that proceeding, and that appeal was  
among those dismissed today.

Deeds were also produced pretending to convey a lot at Mission and  
Tenth streets, and another at Alpine and Sansome streets, to Mrs.  
Craven, but they were not upheld in court.

At one time Mrs. Craven produced two wills purporting to have been  
executed by Fair, but they were not declared genuine to the court. The  
estate, as it vests in the heirs of the dead millionaire today, is  
worth about \$200,000. Each of the three children receive a third.

## CHANGE POSTMASTERS' SALARIES.

(Special to The Herald.)  
WASHINGTON, May 29.—The postoffice department today announced  
the following changes in the salaries of Utah postmasters, to take  
effect July 1: Bingham Canyon, from \$1,100 to \$1,400; Mercur,  
from \$1,400 to \$1,500; Ogden, from \$2,800 to \$2,900; Springfield, from \$1,100  
to \$1,200; Logan, from \$2,100 to \$2,200; Nephi, from \$1,200 to \$1,400; Park  
City, from \$1,100 to \$1,200.

## CURES CHINESE LEPROUS QUARREL ENDS FATALLY

St. Louis Physician Effects Cure  
of Terrible Mal-  
ady.

St. Louis, May 29.—Dong Gong, the  
Chinese leper, who has for four months  
past occupied an isolated house near  
quarantine, has apparently recovered  
from his malady and will be released  
within two months unless the disease  
returns. Chaulmoogra oil, the product  
of an East Indian tree, has been the  
sole treatment administered to Dong  
Gong by Dr. Martin C. Woodruff, su-  
perintendent of quarantine. Discolor-  
ation has disappeared from the pa-  
tient's face and limbs, and feeling has  
returned to the spots of flesh which  
were insensible to the pricking of pins  
or the touch of hot irons. Only one of  
the patient's legs and one wrist is the  
faintest redness visible.

## FEAST OF ENGINEERS.

University Society Has Second An-  
nual Banquet.

The second annual banquet of the En-  
gineering society of the state university  
was given last night in the mining build-  
ing of the university. Sixty-five mem-  
bers, active, associate and honorary,  
were the banqueters. The room was  
artistically decorated with flags, the so-  
ciety's colors and roses and palms, the  
center of the hollow square formed by  
the tables being especially attractive.  
After making partial estimates of the  
feast, President Caldwell delivered an  
address, concluding by introducing  
Dr. Talmage as toastmaster. Toasts  
were responded to by Dr. Kingsbury, Pro-  
fessor Lyman, Dr. Merrill for Governor  
Wells, L. J. Seckler, E. Allen, C. G.  
Dresser and G. M. P. Dougall. Under  
the head of "hotch potch" impromptu re-  
sponses were given by Harvey Holmes,  
Professor Cummings, J. B. Forrester, W.  
O. Wilcox, Roy Patterson, Murray Golie,  
Professor Arnoldson gave a musical se-  
lection and the air was rent with college  
yells and class songs.

It was a social event and will linger  
long in the memories of the participants.

Kills Assailant With Hammer and  
Shoots Himself Through  
the Head.

New York, May 29.—Police officers at-  
tracted by the shouts of alarmed resi-  
dents in an apartment building at 20  
Second avenue, early today, broke the  
door of one of the flats and found J. S.  
Keldain, a dealer in cigarettes, lying  
on the floor with his skull crushed. In  
an adjoining room, lying on a bed, was  
N. Caraman, a tobacco merchant.

## EASTERN MAIL A DAY SOONER

Change in Running Time May Benefit  
Salt Lake.  
(Special to The Herald.)

Chicago, May 29.—An agreement has  
been entered into between the man-  
agement of the Lake Shore, New York  
Central and Pennsylvania roads to  
place in service two twenty hours'  
trains between New York and Chicago.

The new trains will be started on June 15.  
Vice President C. W. Brown of the  
New York Central has called a time  
card meeting of passenger officials of  
the Lake Shore and New York Central  
for New York tomorrow. A similar  
meeting will soon be held by the Pen-  
nsylvania officials for a similar purpose.

It is strongly hinted that this move  
means another step in the task of bring-  
ing the two coasts at least a day nearer  
together. That this will be done as  
soon as improvements on the Union  
Pacific and Southern Pacific roads are  
completed remains no doubt. The mat-  
ter was talked over between Presidents  
Harriman, Houghton and Burt at Omaha  
on Tuesday.